

REMARKS

Claims 19-44 are pending in this Application. The Office Action dated July 13, 2004, has rejected Claims 19-41. None of the claims were objected to.

In response, Applicant has amended Claims 28, 33, 34, 36, and 41, canceled Claims 20 and 35, and added new Claims 42 - 44 to further clarify the patentable subject matter of the claimed invention. No new matter has been added by any of the new Claims or amendments. New Claims are supported by the Specification (Specification, page 9, lines 12-22). For the reasons discussed in detail below, Applicant submits that the pending claims are patentable over the art of record.

The 35 U.S.C. §101 rejection of Claim 35:

The Office Action has rejected Claim 35 under 35 U.S.C. §101 as being directed to non-statutory subject matter. The Applicant has canceled Claim 35.

The 35 U.S.C. §112 rejection of Claims 28 and 33:

The Office Action has rejected Claim 28 under 35 U.S.C. §112, second paragraph, for insufficient antecedent basis and Claim 33 under 35 U.S.C. §112, second paragraph, for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention, respectively. The Applicant has amended Claims 28 and 33, and believes the amended Claims are in condition for allowance.

The 35 U.S.C. §102 rejection of Claims 19-24, 28, 29, 34-39, and 41:

The Office Action has rejected Claims 19-24, 28, 29, 34-39, and 41 under 35 U.S.C. §102(e) as being anticipated by U.S. Patent No. 6,332,127 to Bandera et al. ("Bandera").

Briefly, amended Claim 19 recites a method for displaying content related to a linked resource on a mobile terminal upon selection of the link by a user and automatic determination of a location of the mobile terminal as a result of the selection of the link.

Unlike the claimed invention, Bandera does not disclose or suggest the sequence of actions included in amended Claim 19. Instead, Bandera discloses a system and method for selecting an advertising object to be displayed within a web page requested by a user based on the geographic location of the user and/or time of day. See Bandera, Abstract. Specifically, Bandera discloses the following sequence of events: the user requests a web page; the user's location is determined; an advertisement is selected based on the user's location; the advertisement is sent to the user's device together with the rest of the requested web page. See Bandera, Figure 3, Col 2, lines 36-53, Col 6, line 43 - Col 7, line 30.

On the other hand, amended Claim 19 discloses the following sequence: displaying a link to a resource (*such as an advertisement*) with a mobile terminal; determining a selection of the link by a user; automatically determining the location of the mobile terminal as a result of the selection of the link.

While Bandera allegedly teaches determining the location of the user before serving an advertisement, and relating the advertisement to that location, amended Claim 19 discloses providing a location unrelated content first, and if the user shows interest in a link to a resource (i.e., selects it, or clicks on it), determining the user's location and providing location-related content associated with the resource to the user. Hence, amended Claim 19 requires the content be determined as a result of selecting the link and not by default as disclosed by Bandera. This would certainly reduce a number of positioning requests a wireless system must handle. Considering that users only click on a small percentage of links, the number of positioning requests may be dramatically reduced.

Thus, amended Claim 19 is not anticipated by Bandera, and is therefore, in condition for allowance. Additionally, independent Claims 28, 34, 36, and 41 have been amended in some ways substantially similar to independent Claim 19, albeit differently amended in other ways. Therefore, for at least the same reasons discussed above for amended Claim 19, amended Claims 28, 34, 36, and 41 are also patentable. Furthermore, since Claims 21 - 27, 29 - 33, 37 -40 depend from amended Claims 19, 28, and 36, respectively, they are allowable for at least the same reasons.

Moreover, the present invention discloses an additional feature that is not taught by Bandera. While Bandera refers exclusively to websites, the present invention can be used in a context of digital video. Accordingly, new Claims 42 - 44 disclose processing digital video to locate product placement within a video stream, creating links associated with that product placement, and allowing a user to click on these links. The Specification provides a description and an example of this functionality in the context of a video signal. Specification, page 9, lines 12-22, page 25, lines 3-12.

The 35 U.S.C. §103(a) rejection of Claims 25-27, 30-33, and 40:

The Office Action has rejected Claims 25-27, 30-33, and 40 under 35 U.S.C. §103(a) as being unpatentable over Bandera in view of U.S. Patent No. 6,198,935 to Saha et al. ("Saha").

Saha teaches a system and method for determining a position of a mobile station in a mobile network employing calculation of a number of access signal bursts, which are required for transmission by the mobile station to be located. Saha, Abstract, Col 5, line 15 - Col 6, line 67, Col 7, lines 5-23.

Clearly, unlike the claimed invention, Saha does not disclose displaying content related to a linked resource on a mobile terminal upon selection of the link by a user and automatic determination of a location of the mobile terminal as a result of the selection of the link. Thus, Saha and the suggested combination of Saha with Bandera fail to teach or suggest the claimed limitations for at least the reasons discussed previously. Therefore, Claims 25-27, 30-33, and 40 are in condition for allowance for at least the same reasons as discussed above for amended independent Claims 19, 28, and 36, from which they depend, respectively.

CONCLUSION

By the foregoing explanations, Applicant believes that this response has addressed fully all of the concerns expressed in the Final Office Action, and believes that it has placed each of the pending claims in condition for immediate allowance. Entry of the amendments and early favorable action in the form of a Notice of Allowance is urged. Should any further aspects of the application remain unresolved, the Examiner is invited to telephone Applicant's attorney at the number listed below.

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Respectfully submitted,

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